

The Little Traverse Bay Bands of Odawa Indians Tribal Council  
Tribal Court Room 1150 Bayview, Petoskey, MI 49770  
December 16, 2001  
9:15 am Smudging  
9:30 a.m.

Executive Session: yes

Call to order: Meeting was called to order at 9:49 am

Council present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony,  
Secretary Fred Harrington Jr., Treasurer Alice Yellowbank, Councilor Janet Shomin,  
Councilor Rita Shananaquet, Councilor Bea Law

Council absent: none

Staff present: See attached list

Guests: See attached list

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Motion made by Vice-Chairman George Anthony and supported by Treasurer Alice Yellowbank, to accept the agenda for December 16, 2001 as amended.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank, to accept the minutes of December 2, 2001 as corrected.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairman George Anthony, to accept into the record phone poll dated December 13, 2001, "to approve Resolution #121301-01 Amendment to Gaming Revenue Allocation Plan." The phone poll passed.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to accept the Tribal Administrator's verbal and written report.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet, to approve Ken Mimmack to attend the work session of January 19, 2002, for overview of Tribal Strategic Plan.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law, to approve the cost increase of \$28,798.00 to employ Concannon Painting for painting of the Administrative Complex, total contract not to exceed \$99,450.00 for all services rendered.

Vote: 4 Yes, 3 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Vice-Chairman George Anthony), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Secretary Fred Harrington Jr., to approve a Commissions/Committees Line item for 2002 within the Enterprise budget and allocate \$10,000.00 per Commission, Committee or Board.

Vote: 5 Yes, 1 No (Treasurer Alice Yellowbank), 1 Abstained (Vice-Chairman George Anthony), 0 Absent

Motion carried

11:35 am, recess called

11:43 am, reconvened

11:43 am, public comment, Rosemary Knapp

11:47 am, public comment closed

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to accept the Tribal Chairman's verbal and written report.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Treasurer Alice Yellowbank)

Motion carried

Chairman Gerald V. Chingwa appointed Councilor Rita Shananaquet to sit on the Open Space Task Force.

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet, to accept the gift of \$100.00 from Marsha Gibson and to turn the gift over to the Human Services Department to meet Marsha's request.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Councilor Rita Shananaquet, to make campaign contributions from the donations line item of the Enterprise Budget, in the amount of \$2000.00 each to U.S. Congressman Kildee, U.S. Senator Stabenow, and U.S. Senator Levin.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

12:56 pm, recess called for lunch until 2:30pm.

2:35 pm, reconvened

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to approve Education Department Supplemental Grant of \$60,000.00 from the Enterprise Fund line item to be determined, for FY 2002.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Fred Harrington Jr., to accept Ron Olson's written and verbal report from the Casino.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

4:15 pm, recess called

4:24 pm, reconvened

Motion made by Councilor Janet Shomin, and supported by Councilor Beatrice A. Law to postpone action on the Indian Child Welfare Commission budget until 2002 when the Tribal Administrator brings all Commissions/Committees budgets to the work session on January 19, 2002

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Treasurer Alice Yellowbank)

Motion carried

Motion made by Councilor Janet Shomin and supported by Secretary Fred Harrington Jr., to postpone action on the Trust Fund Board budget until 2002 when the Tribal Administrator brings all Commissions/Committees budgets to the work session on January 19, 2002

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank, to support the grant application for technical assistance in the amount of \$90,000.00 and support the application by resolution # 121601-01, Support and Authorization of Technical Assistance Application to the Community Development Financial Institution Fund of the United States Department of the Treasury.

Roll Call Vote: Chairman Gerald V. Chingwa- yes, Vice-Chairman George Anthony- yes, Treasurer Alice Yellowbank- yes, Secretary Fred Harrington Jr.- yes, Councilor Janet Shomin- yes, Councilor Rita Shananaquet- no, Councilor Beatrice A. Law- yes

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 0 Absent,

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet, to place the Enrollment Statute on the legislative calendar to be taken up on the Legislative meeting of January 20, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to approve the Tribal Council Policy between the Little Traverse Bay Bands of Odawa Indians Gaming Regulatory Commission and the Little Traverse Bay Bands of Odawa Indians Police Department.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony, to place the Legislative Procedures Act on the Legislative Calendar for Feb 17, 2002 and to publish the proposed Act in the Odawa Trails and all Tribal Administration Buildings.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law, to approve the Gaming Regulatory Commission Budgets as presented in the November 17<sup>th</sup>, 2001 work sessions, to be modified after further review.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

6:30 pm, public comment, Rosemary Knapp

6:32 pm, public comment closed

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to postpone the remaining portion of the agenda with the exception of the executive session.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

6:35 pm, Motion made by Councilor Beatrice A. Law and supported by Councilor Rita Shananaquet to go into executive session for personnel and legal.

Vote: 6 Yes, 1 No (Secretary Fred Harrington Jr.), 0 Abstained, 0 Absent

Motion carried

6:35 pm, Secretary Fred Harrington Jr. recused himself. For the legal portion

6:56 pm, Secretary Fred Harrington Jr. returned

6:57pm, Motion made by Vice-Chairman George Anthony and supported by Councilor Rita Shananaquet, to return to open session.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, direct James Bransky legal counsel, act on behalf of the Tribe and file a response to the lawsuit filed against Melissa Claramunt Education Director LTBB.

Vote: 6 Yes, 0 No, 1 Abstained (Secretary Fred Harrington Jr.), 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet, to internally reimburse the AVT program in the amount of \$6,595.00 from unrestricted funds.

Vote: 5 Yes, 1 No (Vice-Chairman George Anthony), 1 Abstained (Secretary Fred Harrington Jr.), 0 Absent

Motion carried

7:55 pm, Motion made by Councilor Beatrice A. Law and supported by Councilor Rita Shananaquet to go into executive session.

Vote: 6 Yes, 1 No (Secretary Fred Harrington Jr.), 0 Abstained, 0 Absent

Motion carried

Secretary Fred Harrington Jr. recused

8:07 pm, Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to return to open session

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Secretary Fred Harrington Jr.)

Motion carried

8:07 pm, Secretary Fred Harrington Jr. returned

8:08 pm, Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to adjourn.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

These minutes have been read and approved as written:

Recorded by:

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Fred Harrington Jr., Tribal Secretary

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Date